

Remarks/Arguments

Examination of the above-identified application in view of the present response is respectfully requested. Claims 1-9 are pending.

Claim Rejections under 35 U.S.C. §103

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,576,313 to Smith et al. (hereafter "Smith '313") in view of U.S. Patent No. 4,322,019 to Smith (hereafter "Smith '019"). Since neither Smith '313 nor Smith '019, taken alone or in combination, teach the subject matter of claim 1, it is respectfully submitted that claim 1 is patentable over Smith '313 and Smith '019 and is therefore allowable.

Claim 1 recites that a tubular member of a second connecting member is inserted into a hole in a first connecting member and pressed onto edge portions of the hole such that the tubular member adheres to the edge portions and the connecting members adhere to each other. The hole in the first connecting member has four, five, or six corners and edge portions which extend between the corners. The tubular member has a corresponding number of corners and edge portions extending therebetween. The edge portions of the hole and the tubular member are concave and arcuate relative to the centre of the hole and the tubular member, respectively.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Examiner acknowledges that Smith '313 does not teach edge portions of a tubular member that are concave and arcuate relative to

the center of the tubular member, but asserts that Smith '019 cures the deficiencies of Smith '313. In particular, the Examiner asserts that the piercing member 180 has concave walls relative to the refill apertures 184 (Office Action page 3). The piercing member 180, however, exhibits a cruciform arrangement of four flat blades 181 which are inclined upwardly and inwardly to intersect at a point 183 (Col. 4, lines 11-16 and Fig. 9). Four flat, upwardly extending blades do not constitute concave and arcuate edge portions relative to the apertures 184 or any other structure.

Furthermore, the walls of the connecting member 180 that fit against the inner wall 312 of the adaptor 210 are straight and extend parallel to the refill apertures 184 (Fig. 10) and, thus, are not concave and arcuate edge portions relative to the apertures or any other structure. For these reasons, Smith '019 does not cure the deficiencies of Smith '313. Accordingly, it is respectfully submitted that claim 1 is patentable over the combination of Smith '313 and Smith '019 and is therefore allowable.

Claims 2-8 depend from claim 1 and are allowable for at least the same reasons as claim 1 and for the specific limitations recited therein.

Claim 9 recites that a first connecting member has a hole which has at least four corners and edge portions which extend between the corners. The edge portions of the hole are concave and arcuate relative to the center of the hole. A second connecting member can be connected to the first connecting member and includes a tubular member. The tubular member has a number of corners and edge portions that correspond with the number of corners and edge portions of the hole of the first connecting member. The edge portions of the tubular member are concave

and arcuate relative to the center of the tubular member. The tubular member is inserted into the hole and pressed onto the edge portions of the hole.

As noted, Smith '313 does not teach edge portions of a tubular member that are concave and arcuate relative to the center of the tubular member and Smith '019 does not cure the deficiencies of Smith '313. For these reasons, it is respectfully submitted that claim 9 is patentable over the combination of Smith '313 and Smith '019 and is therefore allowable.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this matter to our Deposit Account No. 20-0090.

Respectfully submitted,

/James L. Tarolli/

James L. Tarolli
Reg. No. 36,029

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
1300 East Ninth St., Suite 1700
Cleveland, Ohio 44114
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294